

March 16, 1999

Mr. F. James Charney
Policy Analyst
Office of Management & Budget
New Executive Office Building, Room 6025
Washington, D.C. 20503

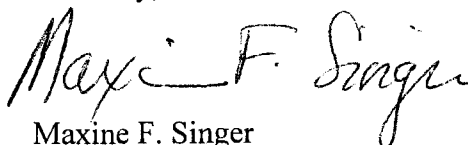
Dear Mr. Charney:

I write regarding the February 4 notice regarding the proposed amendment to Circular A-110. This amendment proposes regulations regarding the release of scientific data by researchers who receive federal support. These regulations are of direct interest to the Carnegie Institution of Washington. Our institution carries out fundamental research in astrophysics, planetary and earth science, and biology. The work of the Institution's scientists is generously supported by grants from the NIH, NASA, NSF, DOE, and USDA.

The Carnegie Institution welcomes the efforts of the OMB to develop proposed regulations that would reduce the negative impact of the recent legislation by requiring that under the FOIA, federally-funded scientists release "data relating to published research findings produced under an award that were used by the Federal Government in developing policy or rules." Nevertheless, we are concerned that even the proposed OMB regulations will have a damaging effect on the efforts of our scientific staff. Our most serious concern is that the regulations may force scientists to release preliminary data before the scientists are satisfied of the data's integrity and reproducibility. None of us can predict the ways in which aggressive individuals may pursue the opportunities afforded by the proposed regulations, but many possible scenarios suggest that the damage to the enormously productive U.S. research enterprise can be significant.

Therefore, we urge the OMB to revise the proposed regulations so that they do not invite unanticipated and damaging requests but rather limit the possible FOIA requests.

Sincerely,


Maxine F. Singer

MFS/sb

1530 P STREET, NORTHWEST • WASHINGTON, D.C. 20005-1910 • 202-387-6400 • FAX 202-387-8092

Department of Plant Biology
Stanford, California

Department of Embryology
Baltimore, Maryland

Department of Terrestrial Magnetism
Washington, D.C.

Geophysical Laboratory
Washington, D.C.

The Observatories
Pasadena, California, and Las Campanas, Chile